

## Nays—15.

Bowser.	Rogers.
Colquitt.	Shelburne.
Darwin.	Sherrill.
Dean.	Simpson.
Gage.	Stafford.
Goss.	Steele.
Lewis.	Woods.
McComb.	

Absent, excused.

Agnew.	Whitaker.
Atlee.	

Absent, not excused.

Bailey.	Presler.
Greer.	

Bill (House bill 300) passed to third reading.

On motion of Senator Dean, the Senate adjourned to 10 a. m. tomorrow.

## FIFTY-THIRD DAY.

Senate Chamber,

Austin, Texas, March 13, 1895.

Senate met pursuant to adjournment. Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Lewis.
Bailey.	McComb.
Beall.	McKinney.
Boren.	Presler.
Bowser.	Rogers.
Darwin.	Shelburne.
Dibrell.	Sherrill.
Dean.	Simpson.
Dickson.	Smith.
Gage.	Stafford.
Goss.	Steele.
Greer.	Tips.
Harrison.	Whitaker.
Lawhon.	Woods.

Absent—excused.

Agnew.

Absent, not excused.

Colquitt.

Prayer by the Chaplain, Dr. Smoot.

Pending reading of the Journal of yesterday,

On motion of Senator Woods, the same was suspended.

On motion of Senator Steele, Senator Colquitt was excused for today on account of important business.

On motion of Senator Rogers, Journal Clerk O'Quinn was excused for today to enable him to attend and take part in the examination of the University law class.

## PETITIONS AND MEMORIALS.

By Senator Greer:

Petitions of citizens of Orange county, asking for the passage of a bill for the relief of Mrs. Ann E. Lynch.

Read and referred to Committee on State Affairs.

By Senator Greer:

Protest against passage of the bill for the relief of Mrs. Ann E. Lynch.

Read and referred to Committee on State Affairs.

By Senator Whitaker:

Memorial of citizens of Bowie county, asking that surveys of vacant public lands heretofore made under certificates issued by the State of Texas to Confederate soldiers be validated.

Read and referred to Committee on Public Lands.

## COMMITTEE REPORTS.

Committee Room,

Austin, Texas, March 13, 1895.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 189, being a bill to be entitled "An act providing for the amendment of article 2971 of the Revised Statutes of the State of Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

SMITH, Chairman.

## MINORITY REPORT.

Committee Room,

Austin, Texas, March 13, 1895.

Hon. George T. Jester, President of the Senate:

I, the undersigned, a minority of your Judiciary Committee No. 1, to whom was referred Senate bill No. 189, not being able to agree with a majority of said committee, beg leave to recommend that said bill do pass.

SIMPSON.

Committee Room,

Austin, Texas, March 12, 1895.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Substitute House bills Nos. 114 and 239, "An act to prohibit the owners, lessees, renters, or any firm or association of persons, or corporations, or their agent, keeping any pool or billiard table for public amusement from permitting any male person under twenty-one years of age to play at any game on either of said tables, and prescribing the punishment therefor,"

Have had the same under consideration, and I am instructed by a majority of said committee to report the same back to the Senate with the recommendation that it do pass, with the following amendment to-wit:

Amend by striking out the words "twenty-one years" wherever they occur in the caption and in the body of the bill, and insert in place thereof the words "seventeen years."

SMITH, Chairman.

## MINORITY REPORT.

Committee Room,

Austin, Texas, March 12, 1895.

Hon. Geo. T. Jester, President of the Senate.

We, the undersigned, a minority of your Judiciary Committee No. 1, to whom

was referred committee substitute House bills Nos. 114 and 239, not being able to agree with the majority of said committee, beg leave to recommend that said bill do not pass, and submit in brief the following reasons:

The object of this bill is to prevent the youth of the land, under 21 years of age, from playing pool or billiards without the written consent of the parent or guardian, and to prevent other alleged designing and malicious persons from forging such written consent. This most pious idea was doubtless born in the brain of some inert father who sees the youth of the land, among them his ill-governed son, going down the broad road to ruin and desolation in the mad frenzy of ivory balls and hickory cues, and instead of appealing to parental authority and good example, he appeals to the government to do something for him that he ought to do for himself. Assuming that the playing of billiards is a vice, and that the young men of the country are being debauched and ruined thereby, yet this bill should not become a law, for it is not, never was, and never should be the object of the government to legislate people into that blissful abode "beyond the sunset's radiant glow." But there are thousands of good people who do not see any vice in the innocent sport of pool and billiards, who do not wish to have their actions in life circumscribed by legislation to the extent that their sons must carry around with them a written certificate in order to be allowed to play a game of pool or billiards. Such extreme legislation, if persisted in, will ultimately curse and render ineffectual the true and only object of good government. We have already drawn into politics, whisky, saloons, cards, horse racing, tobacco, cigarettes, opium, morphine, cocaine, women, dominoes, pool, billiards, and a thousand other things that should never have found their way into the domain of political issues. The old time family rod has been shelved, and authority of the household is fast waning under the regime of an overzealous influence. Ere long, the father will cease to have and exercise any authority over his child, but will look to the government for such authority. The buttons upon his pantaloons, the perfume upon his clothes and hair, will have to be in strict conformity to the statutory law of the land. His laughter, his childish games and his innocent frolics will be hampered by law, until reaching back a few thousand years, we will have arrived at the ideal government of the Persians as depicted by the vivid imagination of Xenophon; or rather, more fearful and realistic, we will land in the blissful future of Belamy and the Nationalist. God save us from such a fate, and from the nonsense of such legislation as is proposed by this bill. Let the law abstain from interference with the private actions of the people that in no way interfere with the rights of others, and keep within the bounds of

its legitimate and original purpose, and may the prevailing crusade against the rights of our young men and women be swept from the face of the earth, that society may be rid of such false reformers, whose sway is tending to disturb the masses of the people in the just and rightful exercise of their own judgment.

DIBRELL,  
SIMPSON,  
SHELBURNE,  
GREER.

Committee Room,

Austin, Texas, March 13, 1895.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred.

Senate bill No. 241, being a bill to be entitled "An act to amend articles 575 and 579, of chapter 3, title 20, of the Revised Civil Statutes of the State of Texas, relating to private corporations,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

SMITH, Chairman.

Committee Room,

Austin, Texas, March 13, 1895.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred.

Senate bill No. 236, a bill to be entitled "An act to fix the compensation of county judges as ex-officio county superintendents, to provide for the payment thereof, and to repeal all laws in conflict herewith,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

SMITH, Chairman.

Committee Room,

Austin, Texas, March 13, 1895.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred.

Senate bill No. 222, being a bill to be entitled "An act to amend article 2386 of the Revised Civil Statutes of Texas, relating to salary of county judges,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

SMITH, Chairman.

Committee Room,

Austin, Texas, March 13, 1895.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred.

Senate bill No. 208, being a bill to be entitled "An act to amend article 376 of the Revised Civil Statutes of the State of Texas, providing for a lien in favor of the city for constructing sidewalks, and for the enforcement of such lien,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

SMITH, Chairman.

Committee Room,  
Austin, Texas, March 13, 1895.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 203, being a bill to be entitled "An act to forbid the dismissal of appeals in certain cases by reason of defects in appeal bonds,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

SMITH, Chairman.

Committee Room,  
Austin, Texas, March 13, 1895.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Substitute House bills Nos. 26 and 102, being a bill to be entitled "An act to regulate contested elections and to prescribe the procedure in such cases, and to repeal all laws and parts of laws in conflict therewith,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass with the following amendments, to wit:

First. Amend section 11 by striking out in line 2 the phrase "tried as other civil cases," and insert in lieu thereof the following: "by the court without the intervention of a jury."

Second. Amend by inserting in line 2 of section 12, after the word "office," the words "other than for members of the Legislature."

Third. Amend by adding to section 12 the following: "And in case the contest be decided in his favor, the bond so filed shall inure to the benefit of the contestant in any suit thereon in a court having jurisdiction of the amount in controversy; and the measure of damages recovered, besides cost of court, shall be the salary, fees and emoluments of office of which the plaintiff has been deprived, less such reasonable expenses as the contestee shall have incurred in executing the duties of the office; provided, he shall have acted in good faith in receiving the certificate of election or commission for the office."

Fourth. Substitute for section 18 the following: "Section 18. Should it appear on the trial of any contest provided for in section 9 of this act that it is impossible to ascertain the true result of the election as to the office about which the certificate is made, either from the returns of the election or from any evidence within reach or from the returns considered in connection with other evidence, or should it appear from the evidence

18—Senate

that such a number of legal voters were by the officers or managers of the election denied the privilege of voting as had they been allowed to vote would have materially changed the result, the court shall adjudge such election void, and direct the proper officer to order another election to fill said office, which election shall be ordered and held and returns thereof made in all respects as required by the general election laws of the State."

Fifth. Amend by striking out in section 27 the following: "And it shall be adjudged, etc." down to and including "as provided by law," and insert "provided, the said House may hold the election void after full consideration of all the evidence and for the reasons prescribed in section 18 of this act, and in such case the Governor shall be at once notified of the vacancy."

Sixth. Amend section 27 by dividing the same into three sections, making section 27 to end with the words, "minority report;" section 28 to begin with the phrase "the rules of evidence, etc.," and to end with the phrase, "officer of said House;" section 29 to begin with the phrase "the House in which the contest is pending shall as soon as practicable after the report of the committee has been received, fix a day, etc.," and the numbers of the remaining sections of the bill to be changed so as to conform to the numbers of the above sections."

SMITH, Chairman.

Committee Room,  
Austin, Texas, March 13, 1895.

Hon. Geo. T. Jester, President of the Senate:

Sir—Your Committee on Finance, to whom was referred

Senate bill No. 238, being "A bill to be entitled an act making appropriations for registered and estimated deficiencies in the appropriations for the State Government from March 1, 1893, to February 28, 1895, and for previous years."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following amendment: Add under head of "Department of Agriculture, Insurance, Statistics and History," the following: "Bill of Ben C. Jones & Co. for printing and binding for library \$115.25."

TIPS, Chairman.

Committee Room,  
Austin, Texas, March 13, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Towns and City Corporations, to whom was referred

House bill No. 597, being a bill to be entitled "An act to validate the incorporation of cities or towns of one thousand inhabitants or over, which have heretofore attempted to be made under certain conditions,"

Have had the same under consideration, and I am instructed to report the

same back to the Senate with the recommendation that it do pass.

BOWSER, Chairman.

Committee Room,  
Austin, Texas, March 13, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Towns and City Corporations, to whom was referred

House bill No. 598, being a bill to be entitled "An act to validate incorporations of towns and villages heretofore attempted to be made under the provisions of chapter 11, title 17, of the Revised Civil Statutes, but which attempted incorporation failed to comply with the requirements of said chapter and title,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BOWSER, Chairman.

Committee Room,  
Austin, Texas, March 13, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

"Concurrent resolution granting to John B. Hood Camp Confederate Veterans the right to place in the Capitol grounds a monument to the Confederate dead,"

And find the same correctly enrolled, and have this day, at 12 m., presented the same to the Governor for his approval.

GREER, Chairman.

#### HOUSE MESSAGE.

House of Representatives,  
Austin, Texas, March 13, 1895.

Hon. George T. Jester, President of the Senate:

I am directed by the House to inform the Senate that the House has adopted the following House concurrent resolution, to-wit:

House concurrent resolution No. 23. "To authorize the Adjutant General of the State of Texas to loan the tents used by the State militia to the Knights of Pythias," a copy of which is hereto attached.

Respectfully,

CHESTER HAILE.

Chief Clerk.

House concurrent resolution No. 23. To authorize the Adjutant General of the State of Texas to loan the tents used by the State militia to the Knights of Pythias.

Whereas. The tents now used by the State militia will be sent to Houston, Texas, for the use of the Confederate veterans reunion in Houston during the month of May, 1895; and

Whereas, the Knights of Pythias will have their annual encampment at Houston shortly before the reunion of the Confederate veterans; and

Whereas, They are desirous of having the use of said tents during their said encampment; now therefore be it

Resolved by the Senate and House of Representatives, That the Adjutant General of the State of Texas be and is hereby authorized to loan said tents to the Knights of Pythias for their use at their annual meeting at Houston as aforesaid, under such guarantee for the proper care and safe return of said tents to him as in his judgment he may deem necessary.

#### BILLS AND RESOLUTIONS.

By Senator Greer, by request:

A bill to be entitled "An act to grant to Anna E. Lynch the privilege of collecting tolls at a certain place, and fixing rates thereof."

Read first time and referred to Committee on State Affairs.

By Senator Bowser:

A bill to be entitled "An act to relieve the public free schools of forced suspension on legal holidays, and to provide that when schools are taught on legal holidays such days shall be counted in making up the school month."

Read first time and referred to Committee on Education.

By Senator McComb:

A bill to be entitled "An act to authorize and provide for the establishment and maintenance at the town of Conroe, in Montgomery county, of a sub-experiment station for experiment and instruction in the growth of tobacco and rice in the State of Texas."

Read first time and referred to Committee on Agricultural Affairs.

By Senator Bowser:

A bill to be entitled "An act to authorize those operating saw mills, cotton gins, mines and quarries to connect the same with neighboring railroads by building tracks thereto, and carrying their supplies and products over the same; to provide for the right of way and compensation therefor, and the receipt and delivery of freight at junctions."

Read first time and referred to Committee on State Affairs.

By Senator Bowser, by request:

A bill to be entitled "An act for the regulation of recovery of damages in suits for compensation for mental pain or suffering against telegraph companies, and to repeal all laws and parts of laws in conflict herewith."

Read first time and referred to Judiciary Committee No. 1.

By Senator Simpson:

A bill to be entitled "An act providing for the amendment of article 2971 of the Revised Statutes of the State of Texas, and to substitute in lieu thereof the following, viz."

Read first time and referred to Committee on Insurance, Statistics and History.

By Senator Simpson:

A bill to be entitled "An act to diminish the civil and criminal jurisdiction of the county court of Wharton county, to conform the jurisdiction of the district court

thereto, and to repeal all laws in conflict herewith."

Read first time and referred to Judiciary Committee No. 1.

By Senator Bowser:

A bill to be entitled "An act to amend article 2374a, chapter 1, title 42, of the Revised Civil Statutes of the State of Texas, with reference to fees to be charged and collected by the Department of State."

Read first time and referred to Judiciary Committee No. 1.

By Senator Steele:

A bill to be entitled "An act to amend an act entitled 'An act to amend article 375, title 17, of the Revised Civil Statutes of the State of Texas,' as amended by an act approved on the 30th day of March, 1889."

Read first time and referred to Committee on Towns and City Corporations.

By Senator Presler:

Be it resolved by the Senate, That the chairman of the joint committee on codifying heretofore appointed by this Legislature be and he is hereby authorized to appoint a special clerk for said committee, who shall be entitled to receive \$5 per day as compensation for his services, to be paid out of the contingent fund of the Twenty-fourth Legislature; such appointment to date March 11 inst., the time when such services actually began."

By Senator Tips:

Amend by adding "and to continue as long as his services may be needed."

Adopted.

The resolution as amended was then adopted.

Call concluded.

#### IN SENATE.

House bill No. 598, "An act to validate incorporations of towns and villages heretofore attempted to be made under the provisions of chapter 11, title 17, of the Revised Civil Statutes, but which attempted incorporation failed to comply with the requirements of said chapter and title."

Read first time and referred to Committee on Towns and City Corporations.

House bill No. 413, "An act to amend chapter 51, section 1, section 2, section 33, section 53 and section 54 of the acts of the Twenty-third Legislature, entitled 'An act to create a more efficient road system in the counties of Cherokee, Houston, Anderson, Trinity, Franklin, Delta, Harrison, Panola, Upshur, Shelby and Smith and auxiliary thereto.'"

Read first time and referred to Committee on Roads and Bridges.

House bill No. 597, "An act to validate the incorporation of cities or towns of one thousand inhabitants or over, which have heretofore attempted to be made under certain conditions."

Read first time and referred to Committee on Towns and City Corporations.

Senator Gage called up

House bill No. 460, being a bill to be entitled "An act to suspend the forfeiture

of the public free school, the University and the several asylum lands for non-payment of interest due thereon, and to provide for the payment thereof, and to dismiss suits pending for such forfeiture."

Bill read third time.

By Senator Gage:

Amend section 5 by adding after the word "made," in line 21, the following: "Provided, further, that this act shall extend and apply only to such persons, whether original purchasers or assignees, who are at the date of passage of this act bona fide residents in the respective counties in which the land to be affected thereby may be situated."

By Senator McComb:

Amend the amendment by adding the words "and provided further, that this act shall not extend and apply to persons not in indigent circumstances."

Adopted by the following vote:

#### Yeas—14.

Atlee.	Rogers.
Darwin,	Sherrill.
Dibrell,	Smith.
Greer,	Stafford.
Harrison.	Steele.
McComb.	Whitaker.
McKinney.	Woods.

#### Nays—12.

Bailey.	Goss.
Beall.	Lawhon.
Bowser.	Lewis.
Dean.	Presler.
Dickson.	Shelburne.
Gage.	Simpson.

#### Absent—excused.

Agnew.	Colquitt,
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#### Absent, not excused.

Boren.	Tips.
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(Senator McComb in the chair.)

Senator Steele moved to postpone further consideration of the bill and pending amendment till today week, and that it be made special order for that day.

Carried.

The Chair gave notice of signing, and did sign after the caption had been read, House concurrent resolution "granting to John B. Hood Camp of Confederate Veterans the right to place in the capitol grounds a monument to the Confederate dead."

Senator Woods moved to suspend regular business and take up,

Senate bill No. 15, being a bill to be entitled "An act to provide for the creation of life and accident insurance companies in this State, and for the regulation thereof, and to repeal all laws or parts of laws in conflict therewith."

Suspended by the following vote:

#### Yeas—21.

Atlee.	Dickson.
Bailey.	Gage.
Beall.	Harrison.
Boren.	Lawhon.
Bowser.	McKinney.
Darwin.	Presler.
Dean.	Sherrill.
Dibrell.	Smith.

Stafford.  
Steele.  
Tips.

Whitaker.  
Woods.

Nays—5.

Lewis.  
McComb.  
Rogers.

Shelburne.  
Simpson.

Absent, excused.  
Colquitt.

Agnew.

Absent, not excused.  
Greer.

Goss.

Question being on engrossment.  
(Lieutenant Governor Jester in the chair.)

Pending action,  
Senator Shelburne called up House concurrent resolution No. 23, and moved its adoption.

Adopted.  
By consent, Senator Tips offered the following resolution:

Resolved, That from and after tomorrow the Senate hold afternoon sessions, and that substitute Senate bill No. 78 shall be made special order at the afternoon sessions, to be considered from day to day until disposed of.

Pending action, Senator Smith moved to adjourn until 3 p. m.

Senator Dean moved to adjourn to 10 a. m. tomorrow.

Lost by the following vote:

Yeas—9.

Atlee.  
Boren.  
Dean.  
Dickson.  
Greer.

Harrison.  
Shelburne.  
Simpson.  
Steele.

Nays—18.

Bailey.  
Beall.  
Bowser.  
Darwin.  
Dibrell.  
Gage.  
Goss.  
Lewis.  
McComb.

McKinney.  
Presler.  
Rogers.  
Sherrill.  
Smith.  
Stafford.  
Tips.  
Whitaker.  
Woods.

Absent, excused.  
Colquitt.

Agnew.

Absent, not excused.

Lawhon.

Senator Smith's motion to adjourn to 3 p. m. today was adopted by the following vote:

Yeas—19.

Atlee.  
Bailey.  
Beall.  
Bowser.  
Darwin.  
Dibrell.  
Gage.  
Goss.  
Lewis.  
McComb.

McKinney.  
Presler.  
Rogers.  
Sherrill.  
Smith.  
Stafford.  
Tips.  
Whitaker.  
Woods.

Nays—8.

Boren.  
Dean.  
Dickson.  
Greer.

Harrison.  
Shelburne.  
Simpson.  
Steele.

Absent, excused.  
Colquitt.

Agnew.

Absent, not excused.

Lawhon.

### AFTERNOON SESSION.

Senate met pursuant to adjournment.  
Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Presler.
Bowser.	Rogers.
Darwin.	Shelburne.
Dean.	Sherrill.
Dibrell.	Simpson.
Dickson.	Smith.
Gage.	Stafford.
Greer.	Steele.
Harrison.	Tips.
Lawhon.	Whitaker.
McComb.	Woods.
McKinney.	

Absent, excused.  
Colquitt.

Agnew.

Absent, not excused.

Bailey.

Goss.

Beall.

Lewis.

Boren.

Pending business being the resolution offered by Senator Tips this morning, to-wit: "Resolved, That from and after tomorrow the Senate hold afternoon sessions, and that substitute Senate bill No. 78 shall be made special order at the afternoon sessions to be considered from day to day until disposed of,"

Senator Greer moved to lay same on the table subject to call.

Lost.

The resolution was then adopted by the following vote:

Yeas—17.

Atlee.	McKinney.
Bowser.	Rogers.
Darwin.	Sherrill.
Dean.	Smith.
Dibrell.	Stafford.
Dickson.	Steele.
Gage.	Whitaker.
Lawhon.	Woods.
McComb.	

Nays—5.

Greer.	Shelburne.
Harrison.	Simpson.
Presler.	

Absent, excused.

Agnew.

Colquitt.

Absent, not excused.

Bailey.

Goss.

Beall.

Lewis.

Boren.

Tips.

Senator Rogers moved to reconsider the vote by which the resolution (Presler's) providing for the appointment of a committee clerk to serve the codifying committee was adopted this morning.

Senator McComb moved to table the motion to reconsider.

Tabled by the following vote:

Yeas—17.

Atlee.	McComb.
Beall.	Presler.
Bowser.	Shelburne.
Dibrell.	Simpson.
Gage.	Smith.
Goss.	Stafford.
Harrison.	Steele.
Lewis.	Tips.

Nays—11.

Boren.	McKinney.
Darwin.	Rogers.
Dean.	Sherrill.
Dickson.	Whitaker.
Greer.	Woods.
Lawhon.	

Absent—excused.

Agnew. Colquitt.

Absent, not excused.

Bailey.

Senator Lawhon moved to suspend regular business and take up

House bill No. 359, being a bill to be entitled "An act to provide for a board of examiners of finance in cities and incorporated towns within the State, to prescribe the manner of their appointment, and to define their duties."

Lost by the following vote (not being two-thirds):

Yeas—16.

Atlee.	Lawhon.
Beall.	McComb.
Boren.	Rogers.
Dean.	Shelburne.
Dibrell.	Simpson.
Dickson.	Steele.
Gage.	Woods.
Greer.	

Nays—11.

Bowser.	Sherrill.
Darwin.	Smith.
Goss.	Stafford.
Harrison.	Tips.
Lewis.	Whitaker.
Presler.	

Absent, excused.

Agnew. Colquitt.

Absent, not excused.

Bailey. McKinney.

Resuming consideration of

Senate bill No. 15, being a bill to be entitled "An act to provide for the creation of life and accident insurance companies in this State, and for the regulation thereof, and to repeal all laws and parts of laws in conflict therewith,"

Which had been carried over from the this morning's session, action being on engrossment.

(Senator Beall in the chair.)

By Senator Presler:

Amend section 25 by adding thereto: "Provided, however, that upon petition of any member of the creditors or policy holders alleging mismanagement, corrup-

tion or unfitness for any good and sufficient cause shown, the district court of the county where such corporation has its principal office shall in the discretion of said court have the power to remove said trustees and appoint a receiver to take charge of the affairs and property of said company."

Pending action,

Senator Lewis moved to recommit the bill to a special committee of five.

Recommitted by the following vote:

Yeas—15.

Atlee.	Lawhon.
Beall.	Lewis.
Dean.	Rogers.
Dibrell.	Shelburne.
Dickson.	Simpson.
Goss.	Steele.
Greer.	Whitaker.
Harrison.	

Nays—12.

Bailey.	Presler.
Bowser.	Sherrill.
Darwin.	Smith.
Gage.	Stafford.
McComb.	Tips.
McKinney.	Woods.

Absent—excused.

Agnew. Colquitt.

Absent—not excused.

Boren.

Senator Greer called up Senator Steele's motion to reconsider the vote by which the enacting clause was stricken out of

House bill No. 323, a bill to be entitled "An act to amend section 1 of an act to fix the rate of taxation on insurance companies, telephone companies, sleeping and dining car companies and other corporations; to prescribe the time and manner of collection of such taxes, to provide penalties for the violation of the provisions of this act, and to repeal all laws and parts of laws in conflict therewith, approved May 11, 1893,"

And moved to indefinitely postpone action on the above motion.

Senator Smith made the point of order that the motion to reconsider was a privileged motion, and hence a motion to indefinitely postpone same was not in order.

Sustained.

(Lieutenant Governor Jester in the chair.)

The motion to reconsider was then lost by the following vote:

Yeas—12.

Bowser.	Rogers.
Darwin.	Sherrill.
Harrison.	Smith.
Lawhon.	Stafford.
McKinney.	Steele.
Presler.	Tips.

Nays—14.

Atlee.	Dibrell.
Bailey.	Dickson.
Boren.	Gage.
Dean.	Goss.

Greer.  
Lewis.  
McComb.

Shelburne.  
Simpson.  
Whitaker.

Paired.

Yea.  
Colquitt.  
Woods.

Nay.  
Beall.  
Agnew.

The Chair then laid before the Senate Senate bill No. 183, being "An act to restore and revive the charters of private domestic corporations chartered under the laws of the State of Texas, which have from failure to pay their annual franchise taxes, or for other causes, lapsed or been declared forfeited by the Secretary of State,"

Which had passed the House with amendments.

Senator Shelburne moved to concur in the House amendments.

On motion of Senator Smith the further consideration of the bill was postponed till tomorrow.

On motion of Senator Rogers, regular order of business was suspended to take up

Senate bill No. 195, a bill to be entitled "An act for relief of actual occupants of portions of the unappropriated public domain as homes,"

By the following vote:

Yeas—26.

Agnew.	Lewis.
Atlee.	McComb.
Bailey.	McKinney.
Beall.	Presler.
Boren.	Rogers.
Bowser.	Shelburne.
Darwin.	Simpson.
Dibrell.	Smith.
Dickson.	Stafford.
Gage.	Steele.
Goss.	Tips.
Harrison.	Whitaker.
Lawhon.	Woods.

Nays—none.

Absent—excused.

Colquitt.

Absent—not excused.

Dean.  
Greer.

Sherrill.

Bill read second time.

At request of Senator Smith the bill was read in full.

By Senator Simpson:

Amend by striking out all that portion of the bill from line 11, on page 1, down to section 1, in line 10.

Adopted.

By Senator Smith:

Amend by striking out section 1.

Lost by the following vote:

Yeas—6.

Darwin.	Smith.
Lawhon.	Steele.
McKinney.	Tips.

Nays—19.

Atlee.	Boren.
Bailey.	Bowser.
Beall.	Dibrell.

Dickson.  
Gage.  
Goss.  
Harrison.  
Lewis.  
McComb.  
Presler.

Rogers.  
Shelburne.  
Sherrill.  
Simpson.  
Whitaker.  
Woods.

Absent, excused.

Colquitt.

Agnew.

Absent—not excused.

Stafford.

Dean.  
Greer,

Bill ordered engrossed by the following vote:

Yeas—18.

Atlee.	Harrison
Bailey.	Lewis.
Beall.	McComb.
Boren.	Presler.
Bowser.	Rogers.
Dibrell.	Shelburne.
Dickson.	Sherrill.
Gage.	Whitaker.
Goss.	Woods.

Nays—7.

Darwin.  
Lawhon.  
McKinney.  
Simpson.

Smith.  
Steele.  
Tips.

Absent, excused.

Colquitt.

Agnew.

Absent, not excused.

Stafford.

Dean.  
Greer.

On motion of Senator Tips, Senate bill No. 211, being a bill to be entitled "An act to authorize and empower the Houston and Texas Central Railroad Company to acquire, control and operate upon such terms as may be agreed upon by the parties, by lease or by purchase, and by consolidating with and merging into its own the railroads and all the corporate rights, franchises and privileges and property of the Central Texas and Northwestern Railway Company, the Fort Worth and New Orleans Railway Company, the Austin and Northwestern Railroad Company and the Granite Mountain and Marble Falls City Railroad Company, each respectively; and to authorize and empower each and all of said last named companies to lease or sell or consolidate with and merge into said Houston and Texas Central Railroad Company their respective railroads and all their respective rights, franchises, privileges and property,"

Was made special order for tomorrow after call.

Senator Harrison moved to adjourn to 10 a. m. tomorrow.

Lost.

The Chair announced the following special committees to consider Senate bill No. 15 (see caption above): Senators Bowser, Presler, Sherrill, Tips and Lewis.

Senator Gage entered a motion to reconsider the vote by which House concurrent resolution No. 23 (see House message of today) was adopted.

The following committee reports were made:



## COMMITTEE REPORTS.

Committee Room,  
Austin, Texas, March 13, 1895.

Hon. George T. Jester, President of the Senate:

Your Committee on Towns and City Corporations, to whom was referred

Senate bill No. 250, being a bill to be entitled "An act to amend an act entitled an act to amend article 375, title 17, of the Revised Civil Statutes of the State of Texas, as amended by an act approved on the 30th day of March, 1889,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BOWSER, Chairman.

Committee Room,  
Austin, Texas, March 13, 1895.

Hon. George T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 220, being "An act to amend article 644a, of an act entitled "An act to amend title 20 of the Revised Civil Statutes of the State of Texas, entitled Private Corporations, by adding another chapter thereto to be styled chapter fourteen, authorizing the construction, owning and operating deep water channels and docks," approved April 1, 1887,"

And find the same correctly engrossed.

BAILEY, Chairman.

Committee Room,  
Austin, Texas, March 13, 1895.

Hon. George T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 217, being "An act to provide for the support and maintenance of the school of dentistry of the medical department of the State University of Texas,"

And find the same correctly engrossed.

BAILEY, Chairman.

On motion of Senator Boren the Senate adjourned to 10 a. m. tomorrow.

## FIFTY-FOURTH DAY.

Senate Chamber,  
Austin, Texas, March 14, 1895.

Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Agnew.	Dibrell.
Atlee.	Dickson.
Bailey.	Gage.
Beall.	Goss.
Boren.	Greer.
Bowser.	Harrison.
Darwin.	Lawhon.
Dean.	Lewis.

McKinney.  
Presler.  
Rogers.  
Shelburne.  
Sherrill.  
Simpson.

Smith.  
Stafford.  
Steele.  
Tins.  
Whitaker.  
Woods.

Absent—excused.

Colquitt.

Absent, not excused.

McComb.

Prayer by the Chaplain, Dr. Smoot.

Pending reading of the Journal of yesterday,

On motion of Senator Harrison, the same was suspended.

On motion of Senator Rogers, Senator Colquitt was excused for today on account of important business.

On motion of Senator Greer, Senator Bailey was excused for non-attendance on Friday, Monday and Tuesday last on account of important business.

On motion of Senator Boren, Senator Dickson was excused for non-attendance on Monday last on account of important business.

## PETITIONS AND MEMORIALS.

By Senator Boren:

Petition from colored citizens of Panola county, concerning the enforcement of the law relating to adultery.

Read and referred to Judiciary Committee No. 2.

By Senator Presler:

Petition of 60 firms and business men of Comanche, Texas, protesting against the passage of the "Agnew bill."

Read and referred to Judiciary Committee No. 2.

By Senator Shelburne:

Order of commissioners court of Fort Bend county, protesting against the creation of Autrey county.

Read and referred to Committee on Counties and County Boundaries.

By Senator Dean:

Petition from members of Ysleta, asking for the passage of Senate bill No. 254. (See caption of bill introduced by Senator Dean this morning.)

Read and referred to Committee on Mining and Irrigation.

## COMMITTEE REPORTS.

Committee Room,  
Austin, Texas, March 14, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

House bill No. 248, being a bill to be entitled "An act to diminish the civil and criminal jurisdiction of the county court of Wharton county, to conform the jurisdiction of the district court thereto, and to repeal all laws in conflict herewith,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

SMITH, Chairman.